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In re Application of: Van Gemen, Bob et al.

Application No.: 10006009

Filing Date: 12/04/01

Title: METHOD OF DETERMINING THERAPEUTIC ACTIVITY AND/OR POSSIBLE SIDE-EFFECTS OF A MEDICAMENT

Direct to: U. S. Patent and Trademark Office  
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Commissioner for Patents  
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Alexandria, Virginia 22313-1450

**NOTICE UNDER 37 CFR 1.251 – Pending Application**

Statement (check the appropriate box):

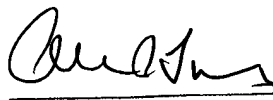
☒ The copy submitted with this reply is a complete and accurate copy of applicant's record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and applicant for the above-identified application that is not among applicant's records. *has requested copies of the documents (replacements) and will provide them to the Office upon receipt.*

☐ The copy of the paper(s) listed in the notice under 37 CFR 1.251 is/are a complete and accurate copy of applicant's record of such paper(s).

☐ The papers produced by applicant are applicant's complete record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and the applicant for the above-identified application that is not among applicant's records.

☐ Applicant does not possess any record of the correspondence between the Office and the applicant for the above identified application.

June 27, 2005  
Date

  
Signature  
Allen C. Turner  
Registration No. 33,041  
Typed or printed name

**A Copy of this notice should be returned with the reply.**

Burden Hour Statement: This collection of information is required by 37 CFR 1.251. The information is used by the public to reply to a request for copies of correspondence between the applicant and the USPTO in order to reconstruct an application file. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 60 minutes to complete. This time will vary depending upon the needs of the individual use. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

PTO Doc Code: R251.RES (Rev. 03/05)



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re Application of:**

van Gemen et al.

**Serial No.:** 10/006,009

**Filed:** December 4, 2001

**For:** METHOD OF DETERMINING  
THERAPEUTIC ACTIVITY AND/OR  
POSSIBLE SIDE-EFFECTS OF A  
MEDICAMENT

**Confirmation No.:** 7686

**Examiner:** D. Johannsen

**Group Art Unit:** 1634

**Attorney Docket No.:** 2183-5189US

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence along with any attachments referred to or identified as being attached or enclosed is being deposited with the United States Postal Service as First Class Mail on the date of deposit shown below with sufficient postage and in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

June 27, 2005  
Date

*Betty Vowles*  
Signature

Betty Vowles  
Name (Type/Print)

**COMMUNICATION REGARDING PRIORITY DOCUMENTS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

On January 4, 2002, Applicants transmitted certified copies of 01202168.9 and 00204322.2 to the United States Patent Office. A copy of the transmittal document, the first page of each priority documents and the returned postcard are enclosed as Exhibit A.

Applicants also enclose a copy of the PAIR "Artifact Sheet" printout which indicates both documents were received by the USPTO but not scanned (Exhibit B).

**Serial No. 10/006,009**

Applicants have requested another certified copy of both documents. One certified copy has been obtained, but the second has been problematic and has not yet been received. Applicants will transmit both copies to the USPTO upon receipt.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Allen C. Turner", with a stylized flourish at the end.

Allen C. Turner  
Registration No. 33,041  
Attorney for Applicant(s)  
TRASKBRITT, P.C.  
P.O. Box 2550  
Salt Lake City, Utah 84110-2550  
Telephone: 801-532-1922

Date: June 27, 2005

ACT/bv

Document in ProLaw



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re Application of:**

van Gemen et al.

**Serial No.:** 10/006,009

**Filed:** December 4, 2001

**For:** TESTING ENDOSYMBIONT  
CELLULAR ORGANELLES AND  
COMPOUNDS IDENTIFIABLE  
THEREWITH

**Examiner:** To be assigned

**Group Art Unit:** To be assigned

**Attorney Docket No.:** 5189US

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence along with any attachments referred to or identified as being attached or enclosed is being deposited with the United States Postal Service as First Class Mail (under 37 C.F.R. § 1.8(a)) on the date of deposit shown below with sufficient postage and in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

1-4-02  
Date of Deposit

*Lynette Eliason*  
Signature of registered practitioner or other person having reasonable basis to expect mailing to occur on date of deposit shown pursuant to 37 C.F.R. § 1.8(a)(1)(ii)

*Lynette Eliason*  
Typed printed name of person whose signature is contained above

**COMMUNICATION**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Enclosed are certified copies of priority documents 00204322.2 filed December 4, 2000 and 01202168.9 filed June 6, 2001 for the above-referenced application.

Respectfully submitted,

*Allen C. Turner*

Allen C. Turner

Registration No. 33,041

Attorney for Applicants

TRASK BRITT, P.C.

P. O. Box 2550

Salt Lake City, Utah 84110-2550

Telephone: (801) 532-1922

Date: January 4, 2002

THE PATENT & TRADEMARK OFFICE MAILROOM DATE STAMPED  
HEREON IS AN ACKNOWLEDGEMENT THAT ON THIS DATE THE  
PATENT & TRADEMARK OFFICE RECEIVED:

Communication; Certified copies of priority documents 01202168.9 and  
00204322.2.

Invention: TESTING ENDOSYMBIONT CELLULAR ORGANELLES AND  
COMPOUNDS IDENTIFIABLE THEREWITH

Applicant(s): van Gemen et al.

Filing date: January 4, 2002

Serial No.: 10/006,009

Date Sent: January 4, 2002 via first class mail

Client/Matter Docket No.: 2183-5189US

ACT/le



## ARTIFACT SHEET

Indicate quantity of item(s) received by the USPTO but not scanned.

☒ Priority Document No. 60204322-2 Country European  
Doc Code: FRPR

☐ CD(s) containing computer program listing  
Doc Code: Computer

☐ Stapled Set(s) of Extra Color Drawings  
Doc Code: Artifact

☐ CD(s) containing pages of specification ☐  
and/or sequence listing ☐  
Doc Code: Artifact

☐ CD(s) with content unspecified  
Doc Code: Artifact

☐ Microfilm(s)  
Doc Code: Artifact

☐ Video tape(s)  
Doc Code: Artifact

☐ Other mass storage media, description: \_\_\_\_\_  
Doc Code: Artifact

☐ Model(s)  
Doc Code: Artifact

☐ Other, description: \_\_\_\_\_  
Doc Code: Artifact

☐ Other, description: \_\_\_\_\_  
Doc Code: Artifact

☐ Other, description: \_\_\_\_\_  
Doc Code: Artifact

11/15/02

## ARTIFACT SHEET

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☐ Other, description: \_\_\_\_\_  
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Doc Code: Artifact

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11/15/02